

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

### for November 26, 2003 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**P.A.S.:** Change of Zone 3429  
Special Permit #1713B  
Use Permit #155

**PROPOSAL:** A change of zone from R-4 to RT  
A special permit to amend the boundaries of the approved Community Unit Plan and add ten residential lots.  
A use permit for nine 5,000 s.f. office buildings in an RT zoning district.

**LOCATION:** S. 56<sup>th</sup> St. & Pine Lake Rd.

**WAIVER REQUEST:**

To allow Lots 1-9, Block 5 without frontage and access to a public street or private roadway.

**LAND AREA:** 12.18 acres more or less

**CONCLUSION:** These requests are **not in conformance** with the 2025 Comprehensive Plan. The expanded commercial area is an intrusion into the residential area. The expanded commercial area, if approved, would provide opportunity in the future for more commercial uses in the area.

**RECOMMENDATION:**

Change of Zone 3429	Denial
Special permit 1713B	Denial
Use Permit 155	Denial

**WAIVERS**

To allow Lots 1-9, Block 5 without frontage and access to a public street or a private roadway.	Denial
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**GENERAL INFORMATION:****LEGAL DESCRIPTION:** see attached**EXISTING ZONING:** R-3 and R-4**EXISTING LAND USE:** Single family, attached two-family and undeveloped.**SURROUNDING LAND USE AND ZONING:**

North:	R-3 Residential O-3 Office Park	Single family and attached two-family. Offices on the northwest corner of Pine Lake Rd. & S. 56 <sup>th</sup> St.
South:	R-3 Residential	Single family and attached two-family
East:	B-2 Planned Neighborhood Business and O-3 Office Park	U.S. Post office and undeveloped.
West:	R-3 Residential	Single family and attached two-family.

**HISTORY:**

<b>July 8, 2002</b>	Use Permit 141, Thompson Creek, located southeast of S. 56 <sup>th</sup> St. & Pine Lake Rd., to construct 76,000 s.f. of office space was approved by City Council.
<b>April 17, 2000</b>	Special Permit 1713A, Aspen 3 <sup>rd</sup> Addition CUP to adjust the front yard setback was approved by City Council.
<b>June 22, 1998</b>	Use Permit 112 to construct a 30,000 s.f. office building at northwest corner of S. 56 <sup>th</sup> St. & Pine Lake Rd. was approved by City Council.
<b>March 2, 1998</b>	Special Permit 1713, Aspen 3 <sup>rd</sup> Addition CUP for 382 dwelling units; Change of Zone 3098 for R-3 to R-4 and Preliminary Plat 97031, Aspen 3 <sup>rd</sup> Addition was approved by City Council.
<b>June 16, 1997</b>	Change of Zone 3037 for AG & R-3 to B-2 and O-3; Use Permit 97 for 100,000 s.f. of commercial use and Preliminary Plat 96027, Aspen 2 <sup>nd</sup> Addition for 7 commercial lots and two outlots was approved by City Council.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

- Page F-17** Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.
- Page F-25** The 2025 Comprehensive Plan identifies this area as urban residential.
- Page F-41** Commerce enters should generally contain a mix of land uses, including residential uses. Higher density residential uses should be included in and/or adjacent to all commercial centers.
- Page F-41** New or established commercial uses should not encroach upon, or expand into, existing neighborhoods.
- Page F-42** Centers should contain a mix of residential, office, service and retail uses. In addition, other "residential" uses such as multi-family, single family attached, child care centers, and recreational facilities should be integrated within the development.
- Page F-66** Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.
- Page F-67** Guiding principles for new neighborhoods includes:
- Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
  - Similar housing types face each other; single family faces single family, change to different use at rear of lot.
  - Multi-family and elderly housing nearest to commercial areas.
- Page F-71** The key to both new and existing urban neighborhoods is diversity. For new neighborhoods, it is having a greater mix of housing types and land uses.

New neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities. Developing a pedestrian orientation of buildings and streets is also a priority for new areas.

**UTILITIES:** All utilities are available to service this development.

**TRAFFIC ANALYSIS:** S. 56<sup>th</sup> St. is classified as a principal arterial and Pine Lake Rd. is classified as a minor arterial.

**PUBLIC SERVICE:** The nearest fire station is located at S. 48<sup>th</sup> St. & Claire St. The nearest elementary school is Cavett Elementary located at 7701 S. 36<sup>th</sup> St.

**ALTERNATIVE USES:** This area has approval to construct 186 multiple-family dwelling units or other alternative uses could be single family dwellings or townhomes.

**ANALYSIS:**

1. This application request is to amend the special permit by replacing 186 multiple-family dwelling units with 9, 5,000 sq. ft. office buildings and 10 residential lots; change the zoning from R-4 to RT and for a use permit over the RT zoning district.
2. This application is not in conformance with the 2025 Comprehensive Plan. The Comprehensive Plan identifies the area in this application as urban residential. The Comprehensive Plan also encourages increased density and a mixture of housing types in neighborhoods.
3. Use Permit 97 approved 100,000 s.f. of commercial floor area in the B-2 and O-3 districts to the east of Stephanie Lane. To date only 16,000 s.f. has been constructed. If there is an immediate need for office space, it may be located in the vacant B-2 and O-3 zoning areas.
4. Use Permit 141, Thompson Creek, approved 76,000 s.f. of office space. To date none of the office use has been built. Thompson Creek is located southeast of S.56th St. & Pine Lake Rd., directly south of Cambell's Nursery.
5. The approved multiple-family complex is a buffer between the commercial uses to the east and the residential to the west. The approved plan for the multiple-family area shows two smaller buildings, 18 units each, along the west end, again providing transition from the larger building farthest away from the single family/townhouse units. (see attached plan Special Permit 1713A)

6. The approved plan has green space of 2.06 acres that provides a buffer between the single family/townhomes and the multiple-family.
7. The intent of the RT zoning district is to provide a transition from residential to commercial. The area requested to be changed to RT is approximately 600' deep and 400' wide. This extensive depth is not a transition, but an intrusion into the residential area. An acceptable depth for RT would be 150' along Stephanie Lane. This would provide a buffer from the commercial east of Stephanie Lane without being an intrusion into the residential area.
8. If the proposed change of zone is successful, it would provide an opportunity to request a change from multiple-family to the north adjacent Pine Lake Rd. to commercial. There would be commercial zoning on two sides of the multiple-family complex and a major street on the north. This would create more intrusion into the neighborhood by commercial uses.
9. When Use Permit 97 was approved there were promises made that the developer would not seek a non-residential zoning classification for any of the property lying west of Stephanie Lane and on the west side of the curve of Red Rock Rd. This guarantee was made at the Planning Commission public hearing on May 21, 1997.

### **CONDITIONS:**

#### **Special Permit 1713B**

##### Site Specific:

1. Planning Staff recommends denial, however if this application is approved the applicant must complete the following instructions and submit the documents and plans to the Planning department office and the plans are found to be acceptable, before the application will be scheduled on the City Council agenda:

1.1 Revise the site plan to show:

1.1.1 65 single family lots and Lots 2-7, Block 1 in Note 10 of the General Notes.

1.1.2 Delete Lot 1, Block 1 from the Special Permit boundary.

1.1.3 Renumber the lots in Block 1.

2. This approval permits a community unit plan for 205 single family, townhouse and multi-family units.

General:

3. Before receiving building permits:
  - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.
  - 3.2 The construction plans shall comply with the approved plans.
  - 3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
  - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

**CONDITIONS:****Use Permit 155**

## Site Specific:

1. Planning Staff recommends denial, however if this application is approved the applicant must complete the following instructions and submit the documents and plans to the Planning department office and the plans are found to be acceptable, before the application will be scheduled on the City Council agenda:

## 1.1 Revise the site plan to show:

1.1.1 Provide a blanket utility easement over Block 5, excluding building envelopes. Provide a 5' utility easement on the west lot line of Lots 21-30, Block 4.

1.1.2 Change the name of the private roadway. The existing Old Creek Rd is primarily an east-west street and numbered accordingly. The new street is north-south. Continued east-west numbering in a north-south street is very often confusing.

1.1.3 The intersection of Allen Rd. and Old Creek Rd does not meet design standards. Revise the intersection to meet design standards.

1.1.4 The parking stall table shows that there are 22 extra parking stalls. Change the 90 degree parking stalls along Old Creek Rd. to parallel parking stalls.

2. This approval permits nine 5,000 s.f. office buildings with a waiver to allow the lots without frontage to a public street or private roadway.

## General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible **final** plan including 5 copies and the plans are acceptable.

3.2 The construction plans shall comply with the approved plans.

3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying the office buildings all development and construction shall have been completed in compliance with the approved plans.
  - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Tom Cajka  
Planner

**DATE:** November 14, 2003



**APPLICANT:** William Krein  
Krein Real Estate  
4750 Normal Blvd. Suite 3  
Lincoln, NE 68506

**OWNER:** same as applicant

**CONTACT:** Brian D. Carstens  
Brian D. Carstens & Associates  
601 Old Cheney Rd. Suite C  
Lincoln, NE 68512

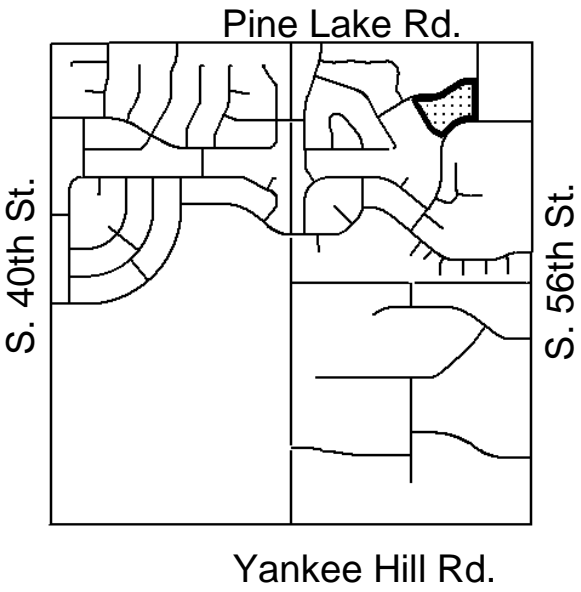
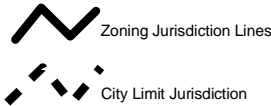


# **Change of Zone #3429** **S. 56th & Pine Lake Rd.**

## **Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
 Sec. 20 T9N R7E







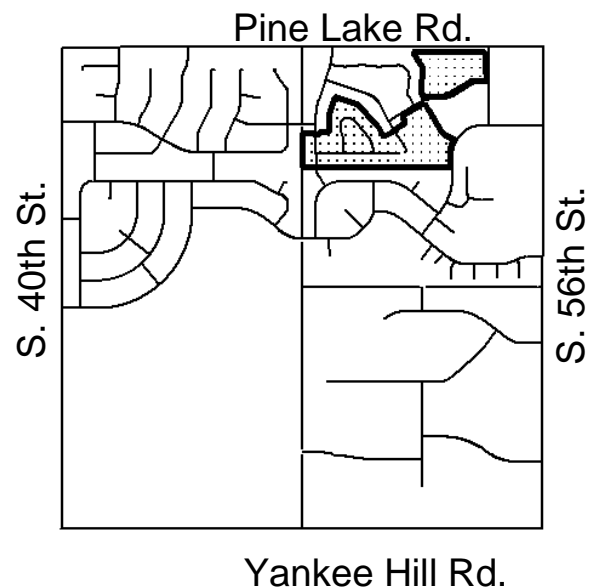
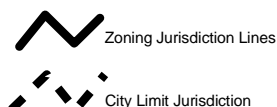
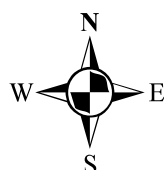
2002 aerial

## Special Permit #1713B S. 56th & Pine Lake Rd.

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 20 T9N R7E



Lincoln City - Lancaster County Planning Dept.





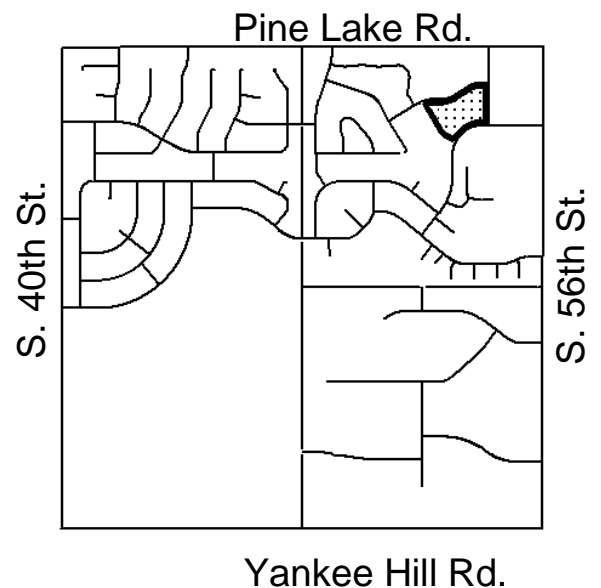
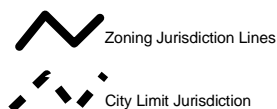
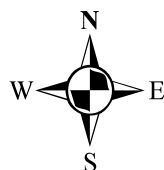
2002 aerial

## Use Permit #155 S. 56th & Pine Lake Rd.

### Zoning:

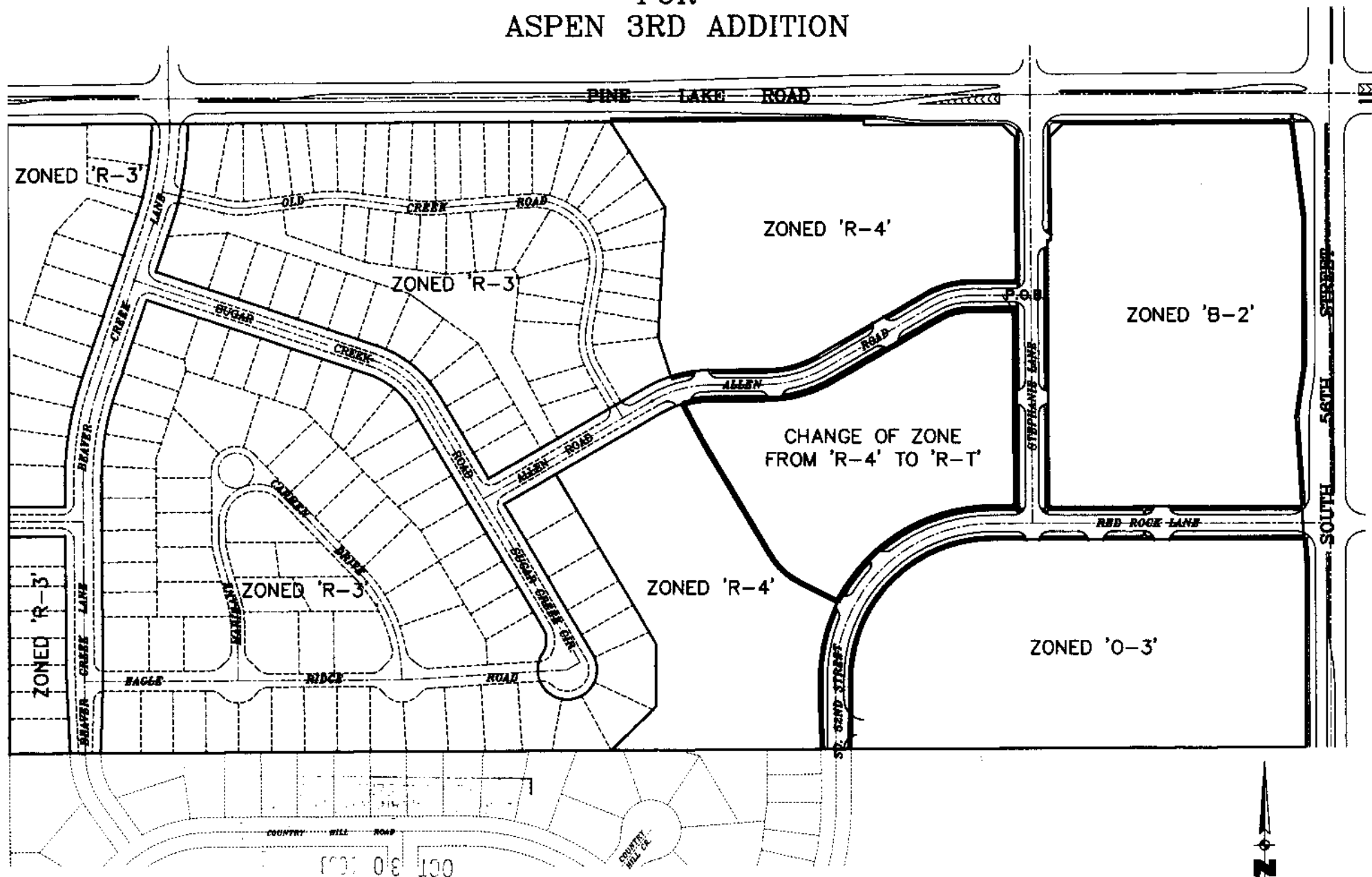
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 20 T9N R7E



# CHANGE OF ZONE EXHIBIT

FOR  
ASPEN 3RD ADDITION

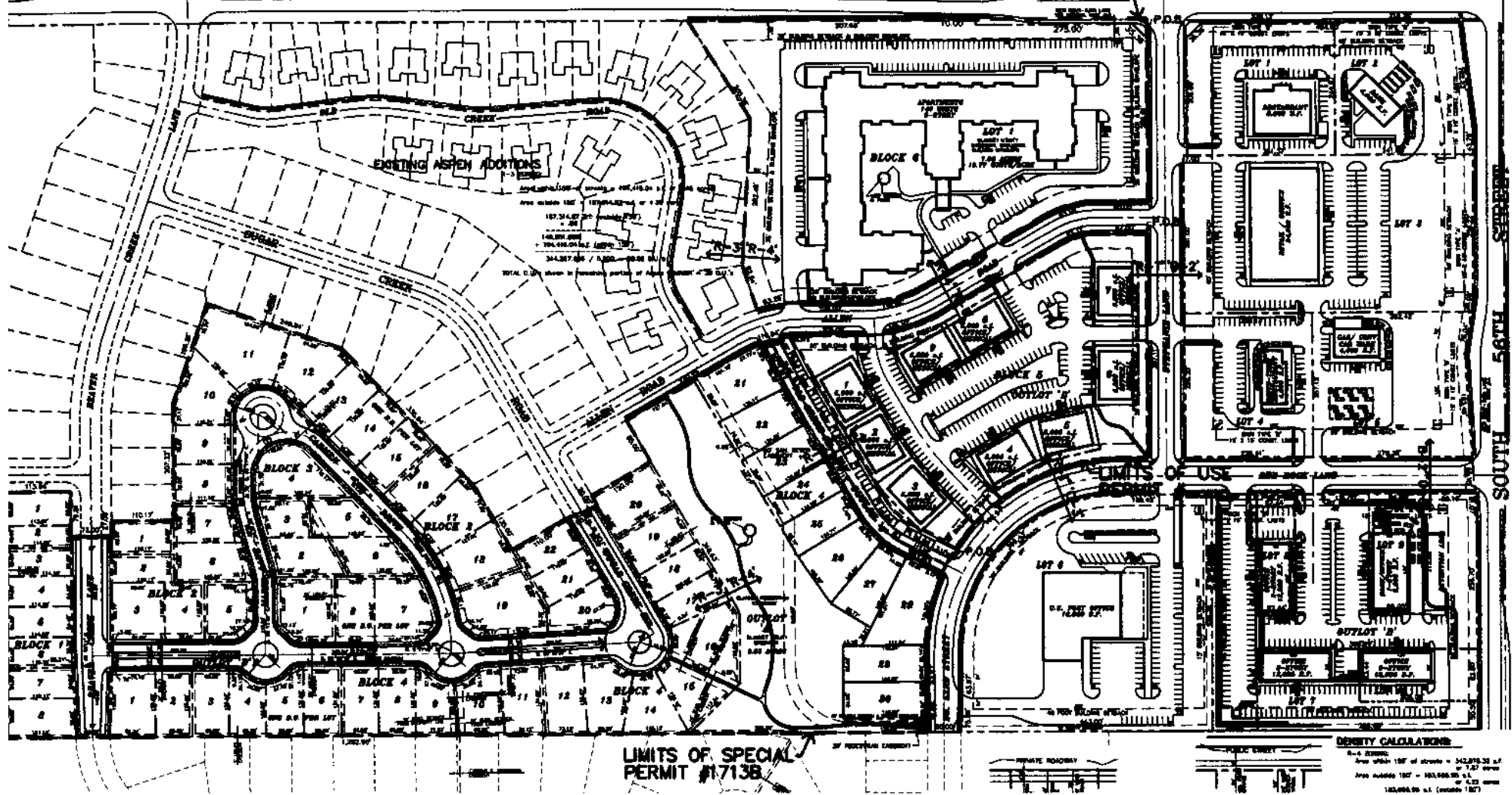


SCALE: NONE

# ASPEN 3TH ADDITION COMMUNITY UNIT PLAN/ SPECIAL PERMIT #1713B & USE PERMIT #

LIMITS OF SPECIAL PERMIT #1713B

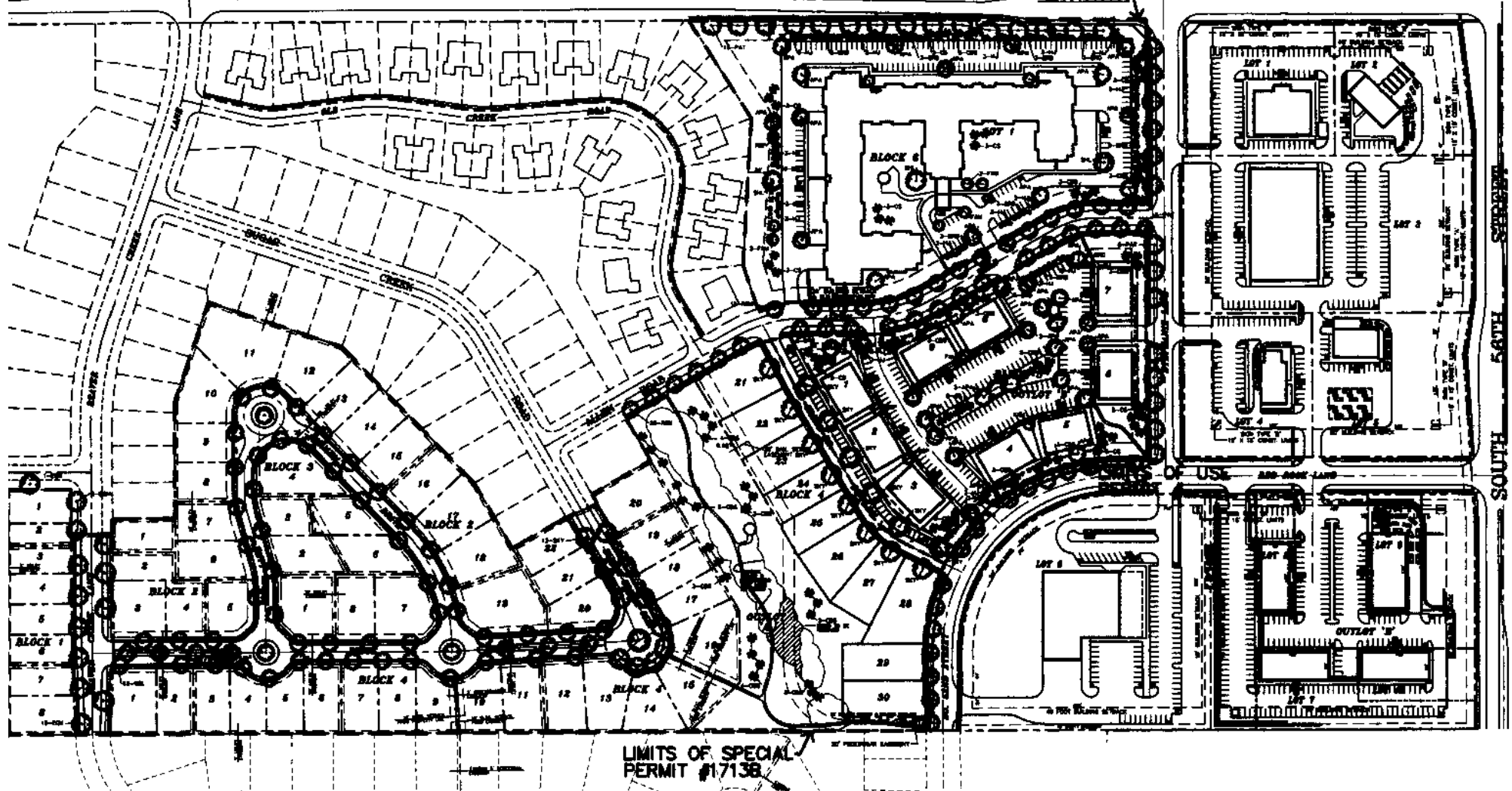
PINE LAKE ROAD



ASPEN 3TH ADDITION  
COMMUNITY UNIT PLAN/ SPECIAL PERMIT #1713B  
& USE PERMIT #

LIMITS OF SPECIAL PERMIT #1713B

PINE LAKE ROAD



SPRING HARBOR HILLS

05 00 00

05 00 00

## ASPEN 3RD ADDITION CHANGE OF ZONE & USE PERMIT LEGAL DESCRIPTION:

A portion of Outlot 'E', Block 4, Aspen 5th Addition, located in the North 1/2 of the N.E. 1/4 of Section 20, T. 9 N., R. 7 E. of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the northeast corner of said Section 20, and extending thence S. 89°43'49" W. on the north line of said Section 20, for a distance of 631.50 feet;

Thence S. 00°16'11" E. a distance of 434.81 feet to the Point of Beginning;

Thence continuing S. 00°16'11" E., for a distance of 397.34 feet along the west line of Stephanie Lane;

Thence S. 89°53'36" W., a distance of 45.86 feet;

Thence on a curve to the left having a radius of 348.00 feet and an arc length of 382.89 feet, being subtended by a chord of S. 58°21'47" W., for a distance of 363.87 feet to the point of tangency of said curve;

Thence N. 63°09'26" W., a distance of 84.23 feet;

To the point of curvature of a circular curve to the right having a radius of 150.00 feet and an arc length of 86.10 feet, being subtended by a chord of N. 46°42'49" W., for a distance of 84.92 feet;

Thence N. 30°16'11" W., a distance of 245.26 feet;

To a point of curvature of a circular curve to the right having a radius of 400.00 feet and an arc length of 17.29 feet, being subtended by a chord of N. 29°01'53" W., for a distance of 17.29 feet;

Thence N. 27°47'36" W., a distance of 85.95 feet;

Thence on a curve to the right having a radius of 212.58 feet and an arc length of 59.72 feet, being subtended by a chord of N. 81°40'58" E., for a distance of 59.52 feet to the point of tangency of said curve;

Thence N. 89°43'49" E., 105.00 feet;

Thence on curve to the left having a radius of 272.58 feet and an arc length of 142.72 feet, being subtended by a chord of N. 74°43'49" E., for a distance of 141.10 feet to the point of tangency of said curve;

Thence N. 59°43'49" E., a distance of 250.00 feet;

Thence on a curve to the right having a radius of 120.00 feet and an arc length of 62.83 feet, being subtended by a chord of N. 74°43'49" E. for a distance of 62.12 feet to the point of tangency of said curve;

Thence N. 89°43'49" E., a distance of 87.00 feet to the Point of Beginning and containing a calculated area of 5.10 acres more or less.

OCT 30 2003

RECEIVED  
CLARK COUNTY RECORDS  
OCT 30 2003



## ASPEN 3RD ADDITION C.U.P./ SPECIAL PERMIT LEGAL DESCRIPTION:

Lots 2-6, Block 1, Lots 1-19, Block 2, Lots 1-12 and a portion of Outlot 'E', Block 4 all in Aspen 5th Addition; Lots 1, 2, 4, 6, 7, 8, Block 1, Lots 1-3, Block 2, Lots 2-4, 8 & 9, Block 3 all in Aspen 6th Addition; Lots 1-3, Aspen 7th Addition; Lots 2 & 3, Aspen 9th Addition; and Outlot 'A', Aspen 10th Addition; Lots 1 & 2, Aspen 12th Addition all located in the North 1/2 of the N.E. 1/4 of Section 20, T. 9 N., R. 7 E. of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the northeast corner of said Section 20, and extending thence S. 89°43'48" W. on the north line of said Section 20, for a distance of 631.50 feet;

Thence S. 00°16'11" E. a distance of 434.81 feet;

Thence continuing S. 00°16'11" E., for a distance of 397.34 feet along the west line of Stephanie Lane;

Thence S. 89°53'36" W., a distance of 45.86 feet;

Thence on a curve to the left having a radius of 348.00 feet and an arc length of 382.89 feet, being subtended by a chord of S. 58°21'47" W., for a distance of 363.87 feet to the point of tangency of said curve to the Point of Beginning;

Thence continuing on a curve to the left having a radius of 348.00 feet and an arc length of 164.86 feet, being subtended by a chord of S. 13°16'15" W., for a distance of 183.33 feet to the point of tangency of said curve;

Thence S. 00°18'04" E., a distance of 63.87 feet;

Thence S. 02°35'31" E., a distance of 75.05 feet to the south line of the N 1/2 of said NE 1/4;

Thence S. 89°42'18" W., on said line, a distance of 1623.32 feet;

Thence N. 00°04'25" E., a distance of 377.84 feet;

Thence N. 89°43'49" E., a distance of 113.87 feet;

Thence S. 00°16'18" E., a distance of 19.81 feet;

Thence N. 89°53'08" E., a distance of 72.00 feet;

Thence N. 00°16'11" W., a distance of 27.00 feet;

Thence N. 89°43'49" E., a distance of 110.17 feet;

Thence N. 00°16'11" W., a distance of 207.22 feet;

Thence N. 18°39'17" E., a distance of 189.26 feet;

Thence S. 71°19'56" E., a distance of 249.24 feet;

Thence S. 43°40'07" E., a distance of 335.94 feet;

Thence S. 30°16'11" E., a distance of 135.00 feet;

Thence N. 59°43'49" E., a distance of 110.00 feet;

Thence N. 66°47'58" E., a distance of 60.46 feet;

Thence N. 30°16'11" W., a distance of 20.00 feet;

Thence N. 59°43'49" E., a distance of 120.00 feet;

Thence N. 30°16'11" W., a distance of 85.00 feet;

Thence N. 59°43'49" E., a distance of 240.44 feet;

To the point of curvature of a circular curve to the right having a radius of 212.58 feet and an arc length of 51.59 feet, being subtended by a chord of N. 66°40'58" E., for a distance of 51.46 feet to the point of tangency of said curve;

Thence S. 27°47'36" E., a distance of 85.95 feet;

To a point of curvature of a circular curve to the left having a radius of 400.00 feet and an arc length of 17.29 feet, being subtended by a chord of S. 29°01'53" E., for a distance of 17.29 feet;

Thence S. 30°16'11" E., a distance of 245.26 feet;

To the point of curvature of a circular curve to the left having a radius of 150.00 feet and an arc length of 88.10 feet, being subtended by a chord of S. 46°42'49" E., for a distance of 84.92 feet;

Thence S. 63°09'26" E., a distance of 84.23 feet to the Point of Beginning and containing a calculated area of 19.53 acres more or less.

AND

Commencing at the northeast corner of said Section 20, and extending thence S. 89°43'49" W. on the north line of said Section 20, for a distance of 628.50 feet;

Thence S. 00°16'11" E. a distance of 85.00 feet to the Point of Beginning;

Thence continuing S. 00°16'11" E., for a distance of 289.81 feet along the west line of Stephanie Lane;

Thence S. 89°43'49" W., a distance of 90.00 feet;

To the point of curvature of a circular curve to the left having a radius of 180.00 feet and an arc length of 94.25 feet, being subtended by a chord of S. 74°43'49" W., for a distance of 93.18 feet to the point of tangency of said curve;

Thence S. 59°43'49" W., a distance of 250.00 feet;

To the point of curvature of a circular curve to the right having a radius of 212.58 feet and an arc length of 111.31 feet, being subtended by a chord of N. 74°43'49" E., for a distance of 110.04 feet to the point of tangency of said curve;

Thence S. 89°43'49" W., 105.00 feet;

To the point of curvature of a circular curve to the left having a radius of 272.58 feet and an arc length of 83.62 feet, being subtended by a chord of S. 80°56'32" W., for a distance of 83.29 feet to the point of tangency of said curve;

Thence N. 17°50'02" E., a distance of 82.54 feet;

Thence N. 03°10'01" E., a distance of 262.48 feet;

Thence N. 32°07'44" W., a distance of 205.38 feet;

Thence N. 89°43'49" E., a distance of 507.69 feet;

Thence S. 00°16'11" E., a distance of 10.00 feet;

Thence N. 89°43'49" E., a distance of 275.00 feet;

Thence S. 45°16'19" E., a distance of 35.36 feet to the Point of Beginning and containing a calculated area of 7.08 acres more or less.





APPROVED PLAN

1 THE  
2 BR  
3 DR  
4 AT  
5 CO  
6 DR  
7 AL  
8 FI  
9 SU  
10 SH  
11 AL  
12 AL  
13 SH  
14 AN  
15 SE  
16 AT  
17 AL  
18 DR  
19 CO  
20 AT  
21 TR  
22 TC  
23 LC  
24 AN  
25 AL  
26 PL  
27 AL  
28 TR  
29 PH  
30 BR  
31 PH  
32 ED  
33 BR  
34 EL  
35 CL  
36 LC  
37 CA

# Memorandum

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<b>To:</b>	Tom Cajka, Planning Dept
<b>From:</b>	Bruce Briney, Public Works and Utilities
<b>Subject:</b>	Community Unit Plan #1713B, Use Permit #155, Change of Zone #3429 Aspen 3rd Addition - <b>Revised Report</b>
<b>Date:</b>	<b>November 18, 2003</b>
<b>cc:</b>	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Community Unit Plan #1713B, Use Permit #155, and Change of Zone #3429 for Aspen 3rd Addition, for property located at South 56<sup>th</sup> Street and Pine Lake Road. The proposed 150 unit apartment building and two 18 unit apartment buildings will be replaced with 10 single family units and 5.10 acres of 'R-T' zoning with 9 5,000 square foot medical/office buildings and associated parking. Public Works has the following comments:

- The 90 degree parking stalls proposed for the east side of Old Creek Road will not permit parked vehicles to back from these stalls without backing across the centerline of Old Creek Road.
- The 90 degree parking stalls proposed for the east side of Old Creek Road will not be compatible with parallel parking on the west side of Old Creek Road.
- The curve radius of Allen Road does not meet the minimum requirements for an intersection with the proposed Old Creek Road.
- Additional right-of-way will be required for the planned roadway improvements in Pine Lake Road and South 56<sup>th</sup> Street.
- The City's Pine Lake Road project may require construction of a median in Pine Lake Road which might preclude left turns from and to Pine Lake Road at Stephanie Lane.



Dennis L Roth

To: Thomas J Cajka/Notes@Notes

11/02/2003 03:42 PM

cc:  
Subject: re: Aspen 3rd

PROJ NAME: Aspen 3rd  
PROJ NMBR: CUP# 1713B, CZ# 3429, UP# 155  
PROJ DATE: 10/30/03  
PLANNER: Tom Cajka

Finding NO DUPLICATE/SIMILAR sounding names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin  
Emergency Communications 9-1-1 Center

STREETS: Beaver Creek Ln, Old Creek Rd, Sugar Creek Cir

PRIVATE: Carmen Dr, Eagle Ridge Rd, Marie Ln

COMMENTS: Am concerned about logical street addresses on Old Creek Rd between Allen Rd and Red Rock Ln. The existing Old Creek was primarily an east-west street and numbered accordingly, while the proposed Old Creek is a north-south street. Continued east-west numbering on a north-south street is very often confusing, especially under emergency conditions.

Not sure whether it would be wiser to rename the street, or simply receive assurance that the logical address scheme will change to north-south.

**Richard J Furasek**

To: Thomas J Cajka/Notes@Notes

cc:

10/31/2003 04:00 PM

Subject: Aspen 3rd

Upon review of use permit # 155, CUP/PUD # 1713- B, and CZ# 3429, we find it acceptable from the perspective of our department. The closest engine company fire stations to this area are 27th and Old Cheney and 48th and Claire streets and the closest truck company to this area will be stationed at 48th and A street. This area is stretching our response times and response districts and we cannot provide the same timely service that the people of the city of Lincoln expect.

Richard J. Furasek  
Assistant Chief Operations  
Lincoln Fire & Rescue  
1801 Q Street  
Lincoln Ne. 68508  
Office 402-441-8354  
Fax 402-441-8292

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Tom Cajka

**DATE:** November 18, 2003

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** EH File

**SUBJECT:** Aspen 3<sup>rd</sup> Addition

EH Administration

UP #155 SP #1713B  
CZ #3429

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following items noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

INTER-DEPARTMENT COMMUNICATION

**-LES**

**DATE:** November 5, 2003  
**TO:** Tom Cajka, City Planning  
**FROM:** Sharon Theobald  
Ext. 7640  
**SUBJECT:** DEDICATED EASEMENT - U.P. #155, CUP #1713B, CZ#3429  
DN # 73S-51E

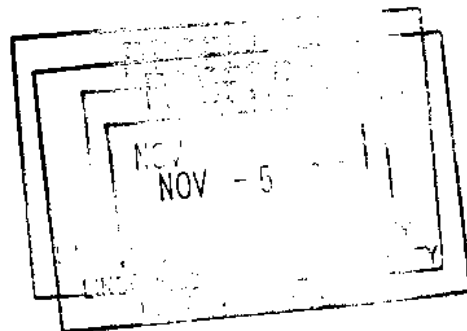
Attached is the Site Plan for Aspen 3<sup>rd</sup> Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easement, excluding building foot prints in Blocks 5 & 6.

*Sharon Theobald*

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File







**BRIAN D. CARSTENS AND ASSOCIATES**  
**LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN**  
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

October 30, 2003

Marvin Krout  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10th Street  
Lincoln, NE 68508

RE: ASPEN 3RD ADDITION- SOUTH 56<sup>TH</sup> AND PINE LAKE ROAD  
C.U.P./ SPECIAL PERMIT #1713B, CHANGE OF ZONE (R-4 TO R-T) & USE PERMIT

Dear Mr. Krout,

On behalf of Krein Real Estate and Aspen Partnership, we are submitting a revised C.U.P. / Special Permit, Change of Zone and Use Permit as shown on the attached plans. The revised Special Permit removes the proposed 150 unit apartment building and two 18 unit apartment buildings. We are replacing these units with 10 single family units, that abut the enlarged outlot/ open space. We are also proposing 5.10 acres of 'R-T' zoning with nine 5,000 square foot medical/ office buildings and associated parking.

The existing homeowners along Sugar Creek Circle, south of Allen Road, requested that we look at alternatives to the previously approved apartments. We looked at several options and everyone seemed to prefer the plans that are being submitted with this application.

Two weeks ago, representatives from the Aspen Home Owners Association, Bill Krein and myself met with Ray Hill and Brian Will to present these ideas. During the meeting, Ray suggested making the 'R-T' buildings have fronts that would back onto the private roadway that separates the new single family and the proposed 'R-T' - office/ medical buildings. We took this one step further and added parking along the private roadway. This will also aid as a traffic calming measure between Allen Road and Red Rock Lane.

We have also increased the lot area of Outlot A from 2.06 acres to 2.53 acres. This allows for more passive recreation that the many of the owners of Aspen use on a regular basis.

We feel the proposed 'R-T' is a good transition between the existing 'B-2' and 'O-3' zoned areas. We are not requesting any waivers of the zoning ordinance at this time. We look forward to working with staff on these proposed changes. Please feel free to contact me if you have any further questions.

Sincerely,

Brian D. Carstens

